APPENDIX

APPENDIX

STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

IN THE CIRCUIT COURT OF COOK COUNTY

JURY DEMAND
CERTIFIED COPY

BERNHARD ROSEE,
Plaintiff,

vs.

BOARD OF TRADE OF THE CITY OF CHICAGO, an Illinois corporation; JAMES E. BAGGOTT, JR., and DONALD W. MORRISON, individually and d/b/a BAGGOTT & MORRISON; HARRIS HAYWOOD; SIDNEY C. HAMPER, MARTIN H. MILEK, ROY C. LOFTUS, RICHARD ROSE, RAYMOND COMENZO, and THOMAS HERR, individually and as members of the Committee of Arbitration of the Board of Trade of the City of Chicago; JULIUS MAYER; WILBERT E. HUGE; ROBERT L. DAVID; THOMAS E. HOSTY; ROBERT C. LIEBENOW, individually and as President of the Board of Trade of the City of Chicago; WARREN W. LEBECK, individually and as Secretary of the Board of Trade of the City of Chicago; JAMES J. COUGHLIN; ALBERT W. KIBBY; and SAM GORDON,
Defendants.

No. 63 C 11740

In Chancery

63 C 1348

A True Copy:
Teste:
Kenneth J. Carrick
Clerk of the United States Court of Appeals for the Seventh Circuit.
John M. Fanning

COMPLAINT

Now comes Bernhard Rosee, plaintiff, by his duly authorized attorney, and complains of defendants as follows:

Description of Parties

1. Plaintiff has at all relevant times been a citizen and resident of the State of Illinois and a member of the defendant Board of Trade of the City of Chicago.

2. Defendant Board of Trade of the City of Chicago (hereinafter referred to as the "Board of Trade") is a corporation organized under a special act of the Legislature of State of Illinois.

UNITED STATES COURT OF APPEALS

For the Seventh Circuit
Chicago, Illinois 60604

Wednesday, June 26, 1968

Before

HON. ELMER J. SCHNACKENBERG, *Circuit Judge*

HON. LATHAM CASTLE, *Chief Judge*

HON. JOHN S. HASTINGS, *Circuit Judge*

BERNHARD ROSEE,
Plaintiff-Appellant,
Nos. 15886 & 16373 vs.
ALBERT W. KIBBY, *et al.*,
Defendants-Appellees.

Appeal from the United States District Court for the Northern District of Illinois, Eastern Division.

IT IS ORDERED by the Court that the petition for rehearing filed in the above entitled causes be and the same is hereby denied.

UNITED STATES COURT OF APPEALS
For the Seventh Circuit
Chicago, Illinois 60604

Tuesday, May 28, 1968

Before

HON. ELMER J. SCHNACKENBERG, *Circuit Judge*

HON. LATHAM CASTLE, *Chief Judge*

HON. JOHN S. HASTINGS, *Circuit Judge*

BERNHARD ROSEE,
Plaintiff-Appellant,
Nos. 15886 & 16373 vs.
ALBERT W. KIBBY, *et al.*,
Defendants-Appellees.

Appeal from the United States District Court for the Northern District of Illinois, Eastern Division.

The court having considered the record in this case transmitted by the district court, as well as the briefs filed by the respective parties herein, and having heard oral arguments in open court by plaintiff appearing *pro se*, and by counsel for defendants, and having taken the case under advisement for decision, the court has conferred thereon and is now of the opinion and accordingly holds and adjudges that the judgment order of the district court dated June 13, 1966 granting defendants' motion motion for summary judgment, and the order of the district court dated June 2, 1967, denying plaintiff's motion pursuant to rule 60 (b) of the Federal Rules of Civil Procedure upon which this consolidated appeal is taken, are supported by the record herein and the law appertaining thereto.

WHEREFORE, there being support in the record for the judgment of the district court which considered plaintiff's allegations, including the alleged conspiratorial arrangement of defendants with certain non-government defendants (not now before this court) relative to the business account of plaintiff, and correctly concluded on this record that there is no factual basis for plaintiff's conclusion of wrongdoing on the part of defendants or that defendants were responsible for plaintiff's alleged damages. It Is Hereby Ordered, Adjudged and Decreed that the judgment order and the order from which these appeals are taken, be, and the same are hereby affirmed.

It Is Further Ordered that the supplemental request of plaintiff filed December 13, 1967 that this court reconsider its order heretofore entered on September 14, 1967 dismissing these appeals as to certain defendants, taken for disposition with these appeals by this court's order of January 2, 1968, be, and the same is hereby denied.